

Response
to Office Action of January 30, 2006

PATENT
Serial No. 09/743,883; Filing Date January 16, 2001
Examiner Charesse L. Evans; Art Unit 1615
Attorney Docket No. von Kreisler.011

MAIL STOP — RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**AMENDMENT AND RESPONSE
TO UNITED STATES PATENT AND TRADEMARK OFFICE
EXAMINER'S ACTION UNDER 37 C.F.R. § 1.111**

Dear Sir:

I. Introduction

Applicant's Amendment and Response is to an United States Patent and Trademark Office ("Patent Office") Examiner's Action ("Action") dated January 30, 2006. The Action provided Applicant with a shortened statutory period for Applicant's Response of three (3) months, *i.e.*, to April 30, 2006. Applicant has submitted a Petition for an Extension of Time of three months, *i.e.*, until July 30, 2006, and has included the required fee. July 30, 2006, is a Sunday. Accordingly, Applicant's Response is timely under 37 C.F.R. § 7, as it is being filed on July 31, 2006, with a Certificate of Mailing under 37 C.F.R. § 1.8(a).

The Action is a Final Action. Accordingly, Applicants also submit a Request for Continued Examination with the fee set forth in 37 C.F.R. § 1.17(e). Under 37 C.F.R. § 1.114(d), "If an applicant timely files a submission and fee set forth in Section 1.17(e), the Office will withdraw the finality of any Office Action and the submission will be entered and considered." For that reason, Applicants' Amendment and Response is being captioned as being under 37 C.F.R. § 1.111.